

REMARKS/ARGUMENTS

Claims 1-19 and 28 have been canceled. Claims 20-27 and 29-39 are active in the case. Claims 20-24, 26, 30-37 and 39 are withdrawn from consideration. Reconsideration is respectfully requested.

Applicants' representative wishes to thank Examiners Nguyen and Douyon for the helpful discussion of October 16, 2007. As a result of the discussion, it is believed that the issues in this case have been clarified and that the prosecution of the case has been materially advanced.

Claim Amendments

Claims 25 and 27 have been amended so as to state that the stripping agent or leveling agent is a graft copolymer which is constructed from a polymeric grafting base A which contains no monoethylenically unsaturated units and grafted polymeric side chains B that are formed from copolymers of at least 2 different monoethylenically unsaturated monomers B1 and B2 each of which each contains at least one nitrogenous heterocycle. Support for these limitations can be found at page 3, lines 36 and 37 and pages 10-12.

Claim 38 has been amended so as to recite a leveling or stripping agent which is a graft copolymer that is formed of a polymeric grafting base A which contains no monoethylenically unsaturated units, and grafted polymeric side chains B formed from copolymers of at least 2 monoethylenically unsaturated monomers B1 and B2 each of which contains at least one nitrogenous heterocycle. Support for the amendments to the claims can also be found on pages 10-12 and page 17, lines 20-30, as well as page 19 of the specification. Accordingly, the amendments do not introduce new matter new matter into the case. Entry of the amendments into the record is respectfully requested.

Claim Rejection, 35 USC 112, Second Paragraph

It was agreed during the discussion of the interview that the language of independent Claims 27 and 27 includes a “positive or active” step, and therefore are in correct form as method claims. Withdrawal of the rejection is respectfully requested.

Prior Art Rejection, 35 USC 103

Claim 25 stands rejected based on 35 USC 102(b) as unpatentable over Walles et al, U.S. Patent 3,097,048 in view of Walles et al, U.S. Patent 2,919,279. This ground of rejection is respectfully traversed.

(Applicants take note here that if the Walles et al patents anticipate the invention as claimed, then they each separately must teach all of the limitations of the active claims that are under consideration. However, if an obviousness ground of rejection is intended, then the two Walles et al patents must be used in combination in order to establish a rejection under 35 USC 103. What is intended here?)

Walles et al '048 discloses a particular polymer that is said to be effective as an agent for the stripping of dyes from cellulosic textiles. The polymer agent that is used, is solely a polyvinylpyrrolidone-like material identified as poly-N-vinyl-5-methyl-2-oxazolidinone (PVO-M). There is absolutely no teaching or suggestion of any type of other copolymer, containing nitrogen containing ring systems or not, that has the capability of functioning as an active agent in the leveling of dyes in a dyeing process or in some post-dyeing operation such as stripping, aftersoaping or afterclearing. Walles et al contains absolutely no teaching or suggestion of a graft copolymer that contains units that are derived from at least two monoethylenically unsaturated monomers B1 and B2 each of which contains at least one nitrogenous heterocycle, that is useful in a stripping operation. Further, there is no teaching or suggestion of a grafting base that specifically does not contain any monoethylenically

unsaturated units. Accordingly, the '048 patent neither anticipates nor obviates the present invention as claimed.


The Walles et al '279 patent discloses and claims N-vinyl-5-methyl-2-oxazolidinones. The compounds are used as monomers for polymerization into polymer material which in column 8 is said to be useful as a dye-assisting adjuvant for synthetic fibers. Absolutely nowhere shown or suggested is the use of the monomer for grafting onto a polymer base to prepare a graft polymer product that contains units that are derived from at least two monoethylenically unsaturated monomers B1 and B2 each of which contains at least one nitrogenous heterocycle, that is useful in a stripping operation. Further, there is no teaching or suggestion of a grafting base that specifically does not contain any monoethylenically unsaturated units. Accordingly, the '048 patent neither anticipates nor obviates the present invention as claimed. Withdrawal of the rejection is respectfully requested.

The rejection of Claims 27-29 based on 35 USC 102(b) over the Walles et al '048 and '279 patents is traversed for the same reasons indicated above. The same traversal applies to the rejection of Claim 38 over the two cited Walles et al patents. Withdrawal of the rejections is respectfully requested.

It is now believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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